IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITON NO. 39 OF 2005

IN

WRIT PETITION NO. 1520 OF 1996

Smt. Shantben M.Shah & Anr. ... Petitoiners

Versus

The Secretary, Food and Civil

Supplies Dept. & Ors. Respondents

Mr. Sachin Shetye with Ms. Betty D'Souza or Petitioners.

Mr. Rajhiv Mane, AGP, for Respondents 1 to 3.

CORAM: S.K.SHAH,J.

DATE : 15th July,2005.

P.C.

1. None for Respondent No.4, though duly served.

2. The Respondents have filed an affidavit in which they have mentioned that the role of the Government was only to collect rent and disburse it to the landlord and, therefore, the matter should now be

handled directly between the landlord and the tenant and the State Government will withdraw itself from this arrangement.

3. In view of the Judgment of the Supreme Court delivered in the case of Grahak Sanstha Manch & others vs. The State of Maharashtra, reported in 1995 (1) Bom.C.R.295 in case of requisitioned premises, it was directed by the Apex Court as under :-

> "....Having regard to the known difficulty of finding alternate accommodation in Bombay and other large cities in Maharashtra, the protection of these interim orders is hereby continued until 30-11-1994, on which date all occupants of premises the continued requisitiion of which has been quashed as aforesaid shall be bound to vacate and hand over vacant possession to the State Government so that the State Government may, on or before 31-12-1994, derequisitioon such premises and hand back vacant possession thereof to the landlords."

4. It is, therefore, for the Government to get the

premises vacated by evicting Respondent No.4 herein and give vacant possession thereof to the petitioner-landlord as per the order passed by this Court on 3.3.2004 in the aforesaid Writ Petition. It is, therefore, directed that the Respondents Nos. 1 to 3 shall, within two weeks from today, get the premises vacated by the Respondent No.4 and hand over the vacant possession thereof to the Petitioners.

With these directions, the Contempt Petition is disposed of.

(S.K.SHAH,J.)